

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES HEALTH CARE INSTITUTIONS: LICENSURE

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 10, Department of Health Services - Health Care Institutions: Licensure
Article and its heading: 1, General
Section numbers: R9-10-122
2. **The subject matter of the proposed rule:**
The purpose of this rulemaking is to establish rules to implement A.R.S. § 36-405(C)(3), which requires the Department of Health Services (Department) to collect an initial license and renewal license fee from a health care institution. A.R.S. § 36-405(C)(3) establishes a range of initial and renewal license fees that shall be collected by the Department. The Department has determined that rules are necessary to specify the exact amount, within the range established in statute, that will be collected. The rulemaking will establish the exact initial and renewal license fee that the Department will collect from a health care institution.

The agency docket number, if applicable: RE-026-01
3. **A citation to all published notices related in the proceeding:**
None published
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Mary Wiley, Assistant Director

Address: Department of Health Services
Assurance and Licensure Services
1647 E. Morten Avenue, Suite 220
Phoenix, AZ 85020

Telephone: (602) 674-4200
Fax: (602) 861-0645
E-mail: mwiley@hs.state.az.us

or

Name: Kathleen Phillips, Rules Administrator

Address: Department of Health Services
1740 W. Adams, Suite 102
Phoenix, AZ 85007

Telephone: (602) 542-1264
Fax: (602) 542-1150
E-mail: kphilli@hs.state.az.us
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted until the close of record which has not been determined. If a public hearing is scheduled for these rules, oral public comments may be presented at that time.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be determined

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RADIATION REGULATORY AGENCY

- 1. Title and its heading:** 12, Natural Resources
Chapter and its heading: 1, Radiation Regulatory Agency
Article and its heading: 5, Industrial Radiographic Operations
7, Use of Radionuclides in the Healing Arts
Section numbers: R12-1-541, R12-1-542, and R12-1-704
- 2. Subject matter of the proposed rules:**
The rules in Article 5 are being amended to include safety standards for baggage x-ray systems, and Article 7 is being amended to prevent distribution of radioactive material to unqualified physicians.

The following describes the proposed changes:

 - R12-1-541 and R12-1-542 are being amended to ensure that baggage x-ray systems are operated and maintained in a safe manner. Additionally, definitions are being added to Article 5 to assist in understanding the new requirements.
 - R12-1-704 is being amended to ensure that only qualified physicians have access to radiopharmaceuticals that are dispensed by a nuclear pharmacy.

Agency docket number: RMP-0054
- 3. A citation to all published notices relating to the proceedings:**
None
- 4. Name and address of Agency personnel with whom persons may communicate regarding the rules:**
Name: Aubrey Godwin

Address: Arizona Radiation Regulatory Agency
4814 S. 40th Street
Phoenix, AZ 85040
- 5. The time during which written comment can be made:**
Written comments will be accepted from 8:00 a.m. to 5:00 p.m., Monday through Friday.

The time and place where oral comment can be made:
Oral comments will be accepted from 8:00 a.m. to 4:30 p.m., Monday through Friday, at the Arizona Radiation Regulatory Agency, 4814 S. 40th Street, Phoenix, Arizona 85040.
- 6. A timetable for agency decision or other action in the proceeding:**
A timetable is not available at this time.